Olmsted County, Minnesota Sewage and Wastewater Treatment Regulation Contact: Mr. Terry Lee Water Coordinator (507)285-8339 Health Ordinance Adopted: 1985

#### PUBLIC HEALTH REGULATION NO. 41

# SEWAGE AND WASTEWATER TREATMENT REGULATION FOR OLMSTED COUNTY

A regulation providing for (1) the design, construction, repair, and operation of individual sewage treatment systems; (2) the utilization of privy vaults and other nonwater carried sewage disposal systems; (3) the removal transport, treatment, and disposal of septage/sludge wastes; (A) the adoption of minimum standards for the treatment and disposal of sewage, septage/sludge, and wastewater; (5) the enforcement of this regulation; and (6) the fixing of penalties throughout the entirety of Olmsted County.

# Section 1 Purpose

A. The Olmsted County Board accepts the premise that in order to protect the public's health, eliminate, or prevent the development of public nuisance, and protect the county's groundwater from contamination by human sewage and waterborne household and commercial wastes, minimum standards be adopted for the disposal of sewage, septage/sludge, and wastewater.

Section 1. Purpose

Section 2. Index

Section 3. Duties and Responsibilities of the Health Department

Section 4. Definitions

Section 5. Standards for Health and Environmental Protection

Section 6. Licenses Required

Section 7. Permits Required for Construction and Repair of Sewage Systems and Operation of Septage Treatment Systems

Section 8. Action on Construction and Operation Permits

Section 9. Notice to Health Department for Inspections

Section 10. Fees

Section 11. Enforcement

Section 12. Severability

Section 13. Effective Date

A. The Olmsted County Health Department shall review the design and inspect the construction, installation, and operation of individual sewage treatment systems and disposal

treatment of septage/sludge wastes.

B. The Olmsted County Health Department shall be responsible for the administration and enforcement of this regulation; issue all licenses and permits, notices of violation, and notices of revocation of licenses or permits; make reports required by this regulation; make complaints to the county attorney of violations of the provisions of this regulation; examine the work in progress as required by this regulation and determine compliance with the provisions of this regulation, including the keeping of proper records on all transactions conducted under the regulation.

#### Section 4 Definitions

- A. When used in this regulation, the following terms and the terms included as part of Minnesota Rules Part 7080, except where amended below, have the meanings given to them.
- 1. Board of Health--the Olmsted County Board of Health.
- 2. Groundwater--the water contained below the surface of the earth in a saturated zone, including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near surface unconsolidated sediment or regolith, or in rock formations, deeper underground.
- 3. Health Department--the Olmsted County Health Department.
- 4. Health Officer--the Olmsted County Director of Public Health or his designated representative.
- 5. Incorporation--mixing of sludge with the topsoil, concurrent with application or immediately thereafter, by means such as discing, mold-board plowing, chisel plowing, roto-tilling, or injection.
- 6. Individual sewage treatment system--any individual sewage treatment system, as defined in Minnesota Rules, Chapter 7080.
- 7. Licensee--any person who obtains a license from the county pursuant to this regulation. A person is a licensee only for the term of the license.
- 8. Noncomplying system--any individual sewage treatment system which does not comply with this regulation.
- 9. Nonwater carried sewage systems--a device for the disposal of human excreta in a structure designed to treat sewage utilizing methods that sigtificantly reduce or eliminate the addition of water to the sewage (examples include privies, chemical toilets, recirculating toilets, combustion toilets, composting toilets, oil flush toilets, and portable toilets).

- 10. Owner of land or landowner--any person who holds a freehold interest, either individually or as a joint tenant or tenant in common, to any land lying within the county. Where the term "owner of land" or landowner is used, it includes each and all of the joint tenants and tenants in common with respect to such land.
- 11. permittee--any person who obtains a permit from the county pursuant to this ordinance. A person is a permittee only for the term of the permit.
- 12. person--any natural person, any State, municipality or other governmental or other political subdivision or other public agency or instrumentality, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, and any other entity.
- 13. Sand- -a soil texture composed of at least 25 percent very coarse, coarse, and medium sand varying in size from 2.0 to 0.25 mm, less than 50 percent of fine or very fine ranging in size between 0.25 and 0.05 mm, and no more than 10 percent of particles smaller than 0.05 mm.
- 14. Soil Conservation Service--the United States Department of Agriculture Soil Conservation Service.
- 15. Subsurface water--any water below the surface of the ground, including, but not limited to, water in the saturated and unsaturated zones.
- 16. Support area--that area or portion of a property or land parcel that is designated to be protected for the use of present or future soil treatment areas meeting all setback requirements for individual sewage treatment units.
- 17. Utilization of septage land application of septage at rates where the quantity of nutrient and nonnutrient element and soil conditioning materials are generally consistent with the biochemical assimilative capacity of the soil-plant system.
- 18. Residential development- an area containing a concentration of buildings used as the residence or sleeping place for ten or more persons but not including tents, trailers, or similar portable housing.
- 19. Minnesota Rules--the Minnesota Individual Sewage Treatment Systems Standards codified in Minnesota Rules Chapter 7080 and appendixes thereto.

#### Section 5 Standards for Health and environmental Protection

#### A. Minnesota Rules

Those standards provided in Minnesota Rules, Chapter 7030, except with amendments authorized by this regulation, shall be the basis for permit applications and issuance of permits, the conduct of inspections of work in progress, the issuance of notices of violation and notices of

revocation of permits, except as otherwise provided herein.

- 1. There shall be a 4-foot thickness of soil separating the bottom of a sewage treatment system from limiting factors such as bed-rock or water table. The soil shall have percolation rates ranging between 0.1 and 60 minutes per inch unless an alternative system is installed.
- 2. Twelve inches of soil-fill material with appropriate percolation rates shall be placed between the filter material and the original soil in the excavation when soil conditions have very fast or very slow percolation rates.
- 3. Where Minnesota Rules allow sewage mound systems to be located on slopes, the mound shall be designed and constructed with sufficient base area to prevent seepage out of the mound. The base area shall be designed according to a calculated absorption rate of 0.24 gallons per day per square foot of base Area.

# B. Support Areas

Sewage treatment systems shall be placed in a designated support area. The least dimension of the support area running with, the contour lines shall be a minimum of 50 feet. Support areas shall be located and sized according to the daily sewage flow and the slope as follows:

- 1. For every proposed dwelling there shall be identified and preserved at least 5,000 square feet. of support area for the soil treatment system if slopes do not exceed 6 percent. Where slopes exceed 6 percent, the support area size shall be determined by multiplying the percent slope by 1,000 square feet.
- 2. For installations other than single-family dwellings, the appropriate site of support area shall be determined by multiplying the square feet of the soil treatment area by three and adding 10 percent for every percent slope that is more than 6 percent.
- C. Soils Evaluations and Construction Designs
- p Soils evaluations or individual sewage treatment systems and septage land application sites may be performed by authorized staff of the health department. Olmsted County licensed sewage treatment system contractors normally prepare construction designs where soils have moderate or slight restrictive features for individual sewage treatment systems.

Soilt evaluations and/or construction designs must be prepared by a Minnesota licensed professional engineer, hydrologist, geologist, or soils scientist/classifier, that is trained and experienced in soils evaluation and sewage treatment design and appropriately certified (or provisionally certified) by the Minnesota Pollution Control Agency (MPCA) for Individual Sewage Treatment Systems Site Evaluation and/or Design when:

1. the 'Soil Survey of Olmsted County" published by the Soil Conservation Service, indicates that soils have severe restrictive features or when slopes exceed 20 percent;

- 2. the number of soils evaluations needed exceeds the capacity or capabilities of work the health department staff can provide (such as for proposed plats or metes and bounds subdivisiors of three or more lots); or
- 3. the sewage system proposed is designed for sewage flows that are apt to exceed 5,000 gallons in any 24-hour period.
- D. Multifamily-Residential, Commercial, or Industrial Development
- 1. Proposed multifamily-residential, commercial, or industrial developments that generate sewage wastes shall connect to a public sewage collection system proper)y operated in accordance with MPCA permits unless otherwise authorized by the Board of Health. Developments such as campgrounds or parks that cannot be connected to a public sewage system shall be considered for development in accordance with subparagraph 2 below.
- 2. Proposed expansions to existing developments or other proposed developments authorized by the Board of Health which utilize Individual sewage treatment systems shall be limited as follows:
- a. The maximum average sewage flow for the development shall be limited according to the size of the property. The development's daily average sewage flow shall not exceed an amount determined by multiplying 200 gallons by the acres of land within the development.
- b. The land involved in the development shall be maintained as recommnended by the Soil Conser ation Service to limit erosion and nitrogen application to the soils. The applied nitrogen shall not exceed the amount necessary to equal the nitrogen needs of crops removed from the land.
- C. All developments that are not single-family residential shall measure and maintain written, current records that detail sewage generation rates.
- E. Wastewater from Thermal Exchange Systems and Systems Designed to Lower Water Tables Wastewater discharge systems designed to serve groundwater heat pumps, lower water table elevations, or other discharges of clean water shall be installed only after appropriate action or permits are obtained.
- 1. Discharge to public sewers, ground surface, or surface waters shall be permitted as follows:
- a. Discharge to public sanitary sewers, storm sewers, streams, lakes, or ponds will be permitted only when accepted by the KPCA and/or other governing body having appropriate jurisdiction.
- b. Private ponds or lakes used for surface discharge shall be managed to discourage mosquito breeding. They shall be constructed to prevent raising the groundwater table to the

extent that it will affect individual sewage treatment systems.

- c. When water is discharged directly or indirectly to public lands, such as a road's right-of-way, the affected governin bodies shall determine the conditions under which such discharge shall be allowed.
- 2. Subsurf ace discharge to soils:
- a. Permits shall be required for subsurface discharge as provided in Section 7 of this regulation.
- b. Subsurface discharge of heat pump and other clean waste-water shall be trade in conformance with the existing Olmsted County regulations for sewage systems with the exception that any clean, nonpolluting filter media that resists degradation and provides adequate pore space may be utilized.
- c. Heat pump and other water drainfields must maintain minimum separation distances as required for sewage drain-fields. In addition, the drainfield shall be adequately seprated by elevation or distance to prevent mgration of water from such drainelds to affect the operation of individual sewage treatment system drainfields.
- F. Nonwater-Carried Sewage Treatment/Disposal Methods
- 1. Homes or other establishments requiring sewage treatment facilities may utilize nonwater-carried sewage treatment facilities. However, an adequate support area shall be located for future construction of a sewage drainfield.
- 2. The board of health will review all proposed construction, and issue permits for all nonwater-carried sewage disposal and/or treatment methods. The wastes from these systems shall be treated and disposed of to protect the quality of surface or groundwaters and not become offensive, odor-producing, or serve as a source or attraction for flies, vermin, or rodents. Unsanitary conditions or nuisances caused by these devices must be corrected.
- G. Septage Disposal and Treatment
- 1. Septage removed from individual sewage treatment Systems including sludge from facilities such as car washes and garages shall be treated or disposed of so as not to create a nuisance or imenace to public health. Unless otherwise authorized by the board of health, septage/sludge shall be disposed into a public sewage treatment system in a manner and at a point accepted by the health department and appropriate governing body. Land treatment of septage/sludge by spreading on the surface or by subsurface injection and plowing no deeper than one foot shall be allowed during certain calendar periods and at sites as described in the section below.
- 2. Septage/sludge may be applied by surface spreading or subsurface injection to soils that

have slight restrictive features or by subsurface injection to soils that due to slope have moderate restrictive features as identified in the septic tank column Table 9 of the Soil Survey of Olmsted County issued March 1980 by the United States Department of Agriculture Soil Conservation Service. The soil types and depth shall provide at least 6 inches of available water capacity in the soil above the water table or bedrock as shown in table 15 of the Soil Survey. Applications of septage shall be further limited as follows:

- 3. Septage shall not be applied to lands that are within a 10-year floodplain, on soils that are poorly or excessively drained, where there is less than four feet of suitable soil depth over bedrock of water table for treatment of the waste by methods or on soils that do not meet minimum recommendations of the Soil Conservation Service.
- 4. Septage applied to sites shall be managed to control ponding and runoff. Deflectors, splash plates, injectors, or other appropriate equipment shall be used to promote a uniform application to the soils. Equipment that produces sufficient sprays that can cause migration of aerosols off the application site shall not be used.

# Land Application of Septage/Sludge

Minimum distance to surface water

		Months When Application	Surface Subsurface	
Slope	Soil Texture	To Soils Is Accepted	Spread(ft)	injection (ft)
0-6%	Coarseincludes	May Through October	200	100
	sands and loamy	April and November	400	100
	sand	December through March*	600	100
0-6%	Medium and fine	- May through October	30	00 75
(cont.)	includes sandy	April and November	600	75
	loams, loams	December through March*	600	75
	silt and clay			
	loams, and clays			
More	Coarse, medium	May through October	40	00 150
Than 69	% and fine soils	April and November	600	150
that have been				
treated to control				
runoff with terraces and berms				

<sup>\*</sup>permitted at specifically identified sites operation under special permit conditions that address monitoring and the control of frozen septage and potential runoff at the site.

5. Accumulation of liquids and septage solids on the surface shall be managed by allowing

the drying of soils with soil tillage as needed. No more than 15,000 gallons of septage shall be applied per acre unless practices involving greater rates have been reviewed and approved by the board of health.

- 6. Soil application sites for septage/sludge waste shall be managed to prevent nuisances, runoff, erosion1 and changes in the soil fertility or chemistry that will adversely affect the accepted use of ground or surface waters or soils for conventional agricultural purposes.
- 7. Root and leafy vegetable crops shall not be raised for human consumption on geptage/sludge soil application sites until at least three calendar years have passed since the last septage application. Animal grazing and forage harvesting shall be delayed for at least three weeks after the last application of septagels ludge.
- 8. Soil application sites for septage and sludge shall be located to prevent nuisance and pollution problems. In no case shall septage be applied to sites where the features identified below are closer than the minimum separation distance:

Feature	Minimum separation distance
Water wells	200 ft.
Public road right-of-way	100 ft.
Property lines	25 ft.
Residential and commercial	1/4 mile
developments	
Occupied building	600 ft.*

<sup>\*</sup>Unless the owner and occupant given written permission to decrease this distance.

- 9. Soil application sites to be operated under conditions of the Olmsted County permit shall have "no trespassing" signs clearly visible every 500 feet around the perimeter of the site. A sign shall also be posted at the entrance stating: "Septage/Sludge Land Application Site, Do Not Enter Without Authorization" and the permittee's name and permit number shall be included. The signs shall be furnished and installed by the permittee and the signs shall have at least 2-inch letters or numbers with a 3/8-inch stroke.
- 10. Any vehicle and pump tanks for septage/sludge pumping and hauling shall be equipped with signs clea-ly visible on the left side of the vehicle and either the right side of the vehicle or at the upper tear end of the tank. The signs shall be furnished and installed by the permittee. The signs shall state the Olmsted County permit number in letters or numbers at least 2 inches high with 3/8- inch stroke and the permittee's ~ and address in letters or numbers at least 1-1/2 inches high with 1/4-inch stroke.
- 11. Tanks used for removal of septage or sludge shall be constructed of nonporous materials and provide an access point to allow inspection and cleaning of the tank interior. The outlet shall be equipped with a durable nonleaking valve.

- 12. Pumpers' tanks and vehicles shall be maintained free of buildup solids and operated to control offensive odors or spilling of septage/sludge.
- 13. Due to the potential for transmission of pathogenic organisms, sewage, or septage being pumped from an individual sewage treatment system more often than once every three months shall be disposed only into a licensed sewage treatment plant as directed by the managing authority for the facility.
- 14. Persons licensed to pump and dispose of septage/sludge waste in Olmsted County shall maintain a written log and make that log available to the health department upon request. The log shall be sufficiently organized and detailed to identify the person operating the pumper, the date, property, and person receiving the service, the amount of septage/sludge pumped, and date and location of disposal.

# H. Use and Maintenance of Sewage Systems

No person shall use, operate, or maintain a noncomplying sewage treatment system. No person shall permit sewage effluent to spill upon or pool on the surface of the ground or to enter a well, sink hole, or fissured rock formation.

# Section 6 Licenses Required

# A. Installers, Pumpers, and Operators

No person shall engage in the Installation, construction, alteration, extension repair, maintenance, or pumping of individual sewage treatment systems or operating a septage/sludge land application site under permit in Olmsted County without first obtaining a license to perform such tasks from the health department. Such licenses shall expire on March 15 of the following year and are not transferable. A property owner who is constructing a sewage treatment system for a residence to be occupied by himself or in the operation of his farm does not need to be licensed but shall obtain all required permits.

#### B. Applications and Bonding

Applications for licenses shall be made in writinh and shall include all information bearing on the qualifications of the applicant to become. a licensee. When a person applies for any combination of installeres, pumpers, or septage land application site operator's license, he may obtain his licenses at fees as set by resolution of the Olmsted County Board of Commissioners.

- 1. Before any license can be issued, the applicant shall pay the established fees and:
- a. Demonstrate appropriate experience and training as provided below:
- (1) Installers are required to have effective March 15, 1986, an Individual Sewage Treatment System Certificate (or Provisional Certificate) for Installation issued by the MPCA and the

Individual Sewage Treatment System Advisory Committee.

- (2) Applicants applying for pumpers' licenses prior to July 1, 1985, shall be licensed without proof of prior training. Proof of prior experience shall be required. All applicants for a pumper's license after that date shall obtain either a course completion certificate for Land Application of Sludge or an Individual Sewage Treatment System Certificate (or Provisional Certificate) for Pumping issued by the NPCA which certificate shall be required effective March 15, 1986.
- (3) Anyone that operates a septag or s1udge land application site under petinit shall obtain a course completion certificate for Land Application of Sludge offered by the MPCA; such certificate shall be required effective March 15, 1986.
- (4) Renewal of licenses shall be contingent on maintaining satisf actory training requirements or MPCA certification as established by this regulation.
- b. Provide a certificate of a license and permit bond In the principal sum of \$5,000,000 or an amount established periodically by resolution of the county board of commissioners. The bond shall be written by an insurer or bonder license to do business in the State of Minnesota. The bond shall protect and benefit the county of Olmsted and injured persons who bring action for the recovery of damage in addition to any other remedy allowed by law.

Section 7 Permits Required for Construction and Repair of Sewage Systems and Operations of Septage Treatment Systems

#### A. Construction Permits

Persons who install, construct, alter, extend, or repair an individual sewage treatment system in Olmsted County shall first obtain a permit from the health department. Such permits are not transferable as to person or place. Such permits shall expire 12 months after date of issue.

B. Septage Pumpers' and Land Application Site Permits

Persons who pump septic/sludge tanks, haul septage to treatment disposal points in Olmsted County, or apply septage to land application sites in Olmsted County shall obtain permits from the health department for pump tanks and trucks and sites used for application of the septage to the soil.

- 1. Land application sites do not need to be permitted unless the site receives more than 4,000 gallons per acre per year by surface spreeding or 10,000 gallons per acre per year by surface injection or plowing. However, any site having Soils that have severe restrictive soil features for Sanitary Facilities as identified by the Soil Conservation Service shall not be used as a land application site without a permit.
- 2. Applications for land application sites shall be considered with other information available at the health department and the Soil Conservation Service such as topographic and soil

conservation service maps which report available water capacity, soil texture, permeability, slope, drainage ways, water table, and bedrock. When information from the soil Conservation Service is adequate to assure that proposed land application has only slight restrictive soil features for septic tank sanitary facilities the initial application for the land application site shall be adequate tor consideration by the health department. Proposed sites that show moderate or severe restrictive soil features shall be considered according to the proposed land application plan and the type of restrictive soil feature. Such sites may require more extensive soil testing and evaluation.

3. Applications for permits shall be made annually on or before March 15 on a form furnish by the health department. Permits shall expire on the next March 15 following the date of issue unless otherwise limited. Such permits are not transferable.

## C. Temporary or Limited Permit

When lots are of insufficient size or uncorrectable conditions exist that require unusual or alternative design or construction, a temporary or limited operational permit may be issued by the board of health. These alternative systems shall be constructed in accordance with the standards prescribed by this regulation. The board of health may impose limitations on construction, use, or expiration of the permit.

# D. Operation Permits

No person shall use an individual sewage treatment system constructed or repaired after enactment of this regulation until an operational authorization permit has been issued by the health department.

Authorization to use the sewage system is automatically and immediately revoked when and if the system malfunctions, fails, or otherwise becomes a public health hazard or nuisance. No fee will be imposed for operation permits issued for individual sewage treatment Systems

#### E. Application

The permit application shall contain:

- 1. legal description and location of any property relative to the permits;
- 2. name, address, and telephone number of the permittee and landowner if applicable; and
- 3. any other information that may be required by the county to assure compliance with this ordinance.

## F. Building Permits

No building permit or other relevant permits shall be issued until the individual sewage treatment

system permit has been issued by the health department.

# C. Posting of Permits

Permits shall be available for inspection and displayed as established by this regulation or upon demand.

Section 8 Action on Construction and Operation Permits

# A. Approval of Application for Construction Permit

If after considering the application for permit and accompanying information, the health department is satisfied that the proposal complies with the provisions of this regulation, the health department shall issue a written permit. One copy of the approved application accompanying information and permit number shall be kept by the permittee at the work site during its progress. The other copy shall remain with the health department.

## B. Rejection of Application

It after considering the construction permit application and accompanying plat or scale drawing, the health department determines that the work will not comply with the provision of this regulation, the health department shall not issue a permit until suitable revisions and corrections are proposed.

#### C. Alteration of Plans

The construction or operation authorized under the construction permit shall not be altered or modified in any of the essential details without the written consent of the health department.

#### D. Construction or Operation Violations

A sewage treatment system, pumpers' equipment, and land application sites which are constructed or operated in violation of the provi sions of this regulation shall be prima facie evidence of a common nuisance without other proof thereof than the proof of its unlawful construction or operation. The health department may & bate and remove it as authorized by this regulation or other applicable regulations or statutes.

## E. Expiration of Permit

Operation permits for use of the sewage system shall terminate if at any time in the future the sewage system should fail, becomes a nuisance, if a public sewer is accessible to serve the building, or if the board of health should require operation permits to be renewed periodically.

#### Section 9 Notice to Health Department for Inspections

A. Notification for soils evaluations to be performed by health department staff shall be as described in C(1). The soil treatment area of the support area shall be tested and found satisfactory before any components of the sewage system have been installed.

#### B. Inspection

It shall be the duty of the permittee to notify the health department when construction of the individual sewage treatment system will start and when it. is completed before any of the system is covered. The installation and construction of the system shall be in accordance with the permit limitations and application design. Proposals to alter the permitted construction shall be reviewed and the proposed change accepted by the health department prior to construction.

#### C. Notifications:

- 1. It shall be the duty of the permittee to notify the health department in person by telephone, or in wriging between the hours of 8 a.m. and 4 p.m. on the workday preceding the day the inspection is desired. If adjustments of the specific inspection time are necessary, the final notice shall be given not less than 4 hours in advance of the time the permittee desires inspection.
- 2. It shall be the duty of the permittee to make sure that the work meets the prescribed standards and limitations before giving the above notification.
- 3. The equipment and supporting labor necessary for the inspection and tests shall be finished by the permittee.
- 4. If the permittee provides proper notice as described above and the health department does not appear for an inspection within or hour of time set, excluding hours when the health department is closed (Saturdays, Sundays, and legal holidays), the permittee may complete the installation. He shall then file an affidavit with the health department within five working days that the work was installed in accordance with the standards and permit and that it was free from defects. Information stating whether the owner or his authorized agent was present when such inspections or tests were made shall also be submitted. The permittee shall include a detailed "as built" plan to the owner and the health department detailing location of the system components and their relative location to permanent structures or physical features of the lot.

# 5. Watertight Tanks

When required by the health officer, holding, septic, or dosing tanks shall be filled with liquid to the discharge invert level to demonstrate they are watertight.

# 6. Covering of Work

If any building drain, plumbing, or septic system component is covered before being inspected and approved, it shall be uncovered upon the direction of the health department.

# 7. Method of Testing

The drainage system shall be checked for materials and slopes in its entirety or in sections. Construction or components of a sewage system that are defective or in an unsanitary condition shall be repaired, replaced, or removed upon notice, and the permittee shall renotify as above unless the health officer issues an operational authorization permit subject to the corrections or work being completed according to the standards.

## B. Operational Authorization Permit

Upon the satisfactory completion and final inspection of the sewer system, an operational authorization permit may be issued by the county and left at the site or mailed to the property owner.

#### Section 10 Fees

- A. The appropriate fee shall accompany permit applications for: septic/sludge pump trucks, septic/sludge land application sites, individual sewage treatment system construction, or repairs of a sewage treatment system, and license application for a septic/sludge pumping contractor operator of septic/sludge land application sites or sewer installation contractor. Fees for licenses and permits shall be set from time to time by resolution of the Olmsted County Board of Commissioners.
- B. The fee for other services performed by personnel of the health department such as soil investigations or processing loan applications will be as set by resolutions of the Olmsted County Board of Commissioners.

#### Section 11 Enforcement

#### A. Misdemeanor

Any person who violates any provision of this regulation shall be guilty of a misdemeanor and upon conviction shall be punished as provided by law. A separate offense shall be deemed to be committed each day that a violation occurs or continues.

- B. All premises affected by this regulation shall be subject to inspection by the health officer. The health officer may collect samples for laboratory examination as deemed necessary for enforcement of this regulation. No person shall refuse to permit the health officer to inspect any premises. No person shall molest or resist the health officer in the discharge of his duty in the protection of the public health.
- C. The existence of violations to this regulation are a threat and nuisance to the public and the groundwater. Thetefore, the health department will rotify the owner of the land where the violation exists that the violation must be corrected in accordance with State of Minnesota and county of Olmsted regulations and standards. The owner will be given 30 days to comply. In

case of imminent hazard, the compliance time may be shortened accordingly. If the owner does not comply within the compliance time limit, the appropriate governing body may cause the violation to be corrected. Any expenses incurred therefor shall be the responsibility of the owner and if subsequently unpaid shall be assessed against the property as provided by law.

Section 12 Severability

A. The provisions of this regulation are severable. Should any action, Paragraph, sentence, clause, phrase, or portion of the regulation be declared invalid for any reason, the remainder of this regulation shall not be affected.

Section 13 Effective Date

This regulation shall be in full force and effect upon adoption and publication pursuant to law.

Dated this day of 19

#### **OLMSTED COUNTY BOARD OF COMMISSIONERS**

Chairperson

ATTEST:

Richard C. Devlm, ClerkAdministrator